



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,397	06/28/2001	Claude Chapel	PF 980092	4292

7590 09/21/2005  
Joseph S Tripoli  
Thomson Multimedia Licensing Inc  
CN 5312  
Princeton, NJ 08543-0028

EXAMINER
----------

SHIBRU, HELEN

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/869,397

Applicant(s)

CHAPEL ET AL.

Examiner

SHIBRU HELEN

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/28/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Thomason (US Pat. No. 6,018,612).

Regarding claim 1, Thomason discloses a process for recording a digital video and audio data stream wherein recording being carried out on a medium organized in the form of logic blocks in series and comprising a recording and reading head (see col. 4 lines 36-40 and col. 5 lines 13-15), said process comprises the steps of:

recording data in one block out of two starting from a first block (see col. 4 lines 47-51, col. 5 lines 7-26, and fig. 3 (60)),

following the triggering of the reading of the data, alternately of reading a previously recorded block and of continuing the recording in the block following the block read (see col. 4 lines 52-67).

Regarding claim 2, Thomason discloses when the set of blocks recorded before the triggering of reading have been read, recording is continued in contiguous blocks in a non-interlaced manner (see col. 5 lines 5-15, P1 and P2).

Regarding claim 3, Thomason discloses when the set of blocks recorded before the triggering of reading have been read, recording is continued in a loop in the blocks previously

read (see col. 5 lines 48-57 and fig. 3 first recording is in block 51a and reading is in block 59a, oldest block (first out) (recording) and most recent block (last in) (reading), after reading is triggered in 51a (first out) and recording is continued in 59a, and the recording and reading loop is continued).

Regarding claim 4, Thomason discloses when the set of blocks recorded before the triggering of reading have been read, said blocks are read, then rewritten in a non-interlaced manner (see col.5 lines 48-52, it is inherent that the reading and recording is done in a non-interlaced manner).

Regarding claim 6, Thomason discloses an additional step of, detecting sequences of free blocks on the medium and of applying steps of recording and of reading inside such sequences (see col. 5 lines 10-13 it is inherent that the free blocks are detected and the pointers pointed to those blocks).

Regarding claim 7, Thomason discloses a digital television receiver (see fig. 1 signals in and col. 3 lines 40-46) comprising means for receiving a digital audio and video data stream (see col. 4 lines 13-32), comprising:

- a recording medium furnished with a recording and reading head, said medium being organized in the form of logic blocks in series (see col. 4 lines 36-40);

- a control circuit (see fig. 3 control block (60)) for managing the writing and the reading of blocks of the recording medium (see col. 5 lines 5-10);

- an interfacing circuit (see fig. 1 user interface device (26)) for interfacing the recording medium with said control circuit (see col. 3 lines 60-67), said control circuit initially instructing the recording of data in one block out of two starting from a first block and subsequently (see

Art Unit: 2616

col. 5 lines 5-10), following the triggering of the reading of the data, alternately the reading of a block previously recorded and the continuing of the recording in the block following a block read (see col. 4 lines 52-67).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomason in view of Mishara (US Pat. No. 6,304,927).

Regarding claim 5, claim 5 differ from Thomason in that the claim further requires the recording of data is performed in a group of N contiguous blocks ( $N > 1$ ) out of two instead of a single block out of two. Although Thomason does not specifically discloses the recording of data is performed in a group of N contiguous blocks ( $N > 1$ ) out of two instead of a single block out of two, Thomason discloses memory blocks are chained and they include memory space (see col. 5 lines 11-15). Thomason further discloses memory blocks are added to the queue at the end of the chain (see col. 5 lines 26-29).

In the same field of endeavor, Mishara discloses a DMA (direct memory acces) transfers are performed in blocks (see col. 5 lines 15-19). Mishara further discloses the size of the DMA transfers and the buffers used are chosen based on the system architecture (see col. 5 lines 25-30). Mishara further disclose for a 32-byte DMA buffer the block sizes are 16 bytes (see col. 5 lines 42-48, two 16 byte blocks for 32 byte DMA buffer). Therefore in light of the teaching in

Mishara it would have been obvious to modify Thomason DMA buffer size in order to transfer images efficiently.

Claim 8 is rejected for the same reason as discussed in claim 5 above.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIBRU, HELEN whose telephone number is (571) 272-7329.

The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, NGOC Y. VU can be reached on 571 272 7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru  
September 19, 2005

  
NGOC-YEN VU  
PRIMARY EXAMINER